

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO., L.P. FOR	)	
ISSUANCE OF A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY TO	)	
CONSTRUCT A PERSONAL COMMUNICATION	)	CASE NO. 96-310
SERVICES FACILITY IN THE LOUISVILLE	)	
MAJOR TRADING AREA (MCCAWLEY AVENUE	)	
PCS FACILITY )	)	

O R D E R

The Commission has received the attached letter from James L. Fine on behalf of his clients, Mr. and Mrs. Gayron and Ms. Kay F. Bowen, regarding the proposed personal communication services facility to be located at 6220 Old Shepherdsville Road, Louisville, Jefferson County, Kentucky.

IT IS THEREFORE ORDERED that:

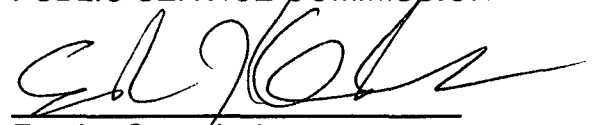
1. WirelessCo., L.P. ("WirelessCo") shall respond to the Gayrons' and Ms. Bowen's concerns by certified letter, within 10 days from the date of this Order.
2. WirelessCo shall file a copy of the certified letter and dated receipt, within 7 days of the date of the receipt.

Done at Frankfort, Kentucky, this 22nd day of July, 1996.

ATTEST:

  
Executive Director

PUBLIC SERVICE COMMISSION

  
For the Commission

RECEIVED

JUL 15 1996

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MICHAEL J. LEVY\*\*  
ALICE S. PATTERSON

OF FIRM LISTING BY DATE OF ENTRY  
\*OF COUNSEL  
\*\*ALSO ADMITTED IN INDIANA

July 12, 1996

VIA CERTIFIED MAIL

Executive Director's Office  
Public Service Commission of Kentucky  
P.O. Box 615  
Frankfort, Kentucky 40602

RE: Case No: 96-310  
WirelessCo., L.P., d/b/a Sprint Spectrum

Dear Public Service Commission:

I represent Mr. & Mrs. Gayron and Kay F. Bowen, 6212 Old Shepherdsville Road, Louisville, Kentucky 40218.

Take notice that the Bowens hereby object to the proposed PCS facility for Sprint Spectrum. A letter dated July 10, 1996, is attached hereto which sets forth a desire to erect a monopole with attached antennas extending upward for a total of 120' and an equipment shelter at 6220 Old Shepherdsville Road, Louisville, Kentucky.

My clients live adjacent to this property and vehemently object to the erection of same for many reasons including the following:

1. Wires supporting the structure will probably run up close to the Bowens' property line, and the structure will probably be within 125' to 150' from their home.
2. This structure will be an eyesore for the neighboring area.
3. The property value for the Bowens' house and neighboring properties will be devalued.
4. We believe there is a health risk.
5. We believe there is an environmental risk.

Executive Director's Office  
July 12, 1996  
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6. We believe there is a safety risk.

7. We believe that there is the potential for danger due to the fact that this is a heavy helicopter flying area.

8. This property is located with four (4) miles of the airport and a number of planes fly low through the area, creating another potential danger.

9. There are at least three (3) other neighboring parties who are opposed to this facility.

The Bowens are particularly concerned about the types of signals and electronic communications coming from this facility, and the potential for risks to health from cancer or other possible diseases.

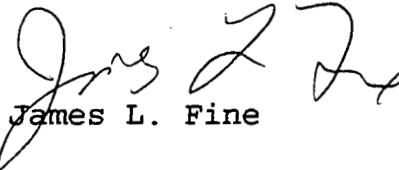
The Bowens anticipate that this structure could severely and adversely affect the value of their property.

It is also not explained why other locations, not close to residential or other potentially adversely impacted areas, have not been selected or proposed as an alternative. Certainly there must be many alternative sites in this area that would not directly impact neighboring properties such as the Bowens.

Please advise as to whether there will be hearing and we consider this letter as demand for notice for any further proceedings regarding this matter.

Very truly yours,

FROCKT & KLINGMAN, LLP



James L. Fine

JLF/mlm

Enclosure

cc: Mr. & Mrs. Gayron Bowen

Gearon & Co., Inc.  
*Wireless Network Development*  
9000 Wessex Place - Suite 100  
Louisville, Kentucky 40222  
Phone: (502) 394-9900 - Fax: (502) 394-3571

July 10, 1996

Mr. & Mrs. Gayron and Kay F. Bowen  
6212 Old Shepherdsville Road  
Louisville, KY 40218

Re: Public Notice - Public Service Commission of Kentucky,  
Case No. 96-310

Dear Sir or Madam:

WirelessCo., L.P., doing business in Kentucky as Sprint Spectrum, has applied to the Public Service Commission (the "Commission") of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new Public Communications Services ("PCS") facility to provide personal wireless telephone and data services. A large percentage of Sprint Spectrum's proposed new facilities will be located on existing structures (ie., rooftops and water tanks). Unfortunately, no such appropriate and available structure exists in this area. Therefore, the proposed new facility will include a monopole, with attached antennas extending upward for a total height of 120', and an equipment shelter to be located at 6220 Old Shepherdsville Road, Louisville, Kentucky. A map showing the location of the proposed new PCS facility is enclosed. This notice is being sent to you because you own property or reside within a 500' radius of the proposed monopole.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 96-310 in your correspondence.

Yours truly,

  
James R. Holmes, J.D.